



**US Army Corps
of Engineers**
Louisville District®

Public Notice

Public Notice No.

LRL-2012-5-6

Date:

September 19, 2012

Closing Date:

N/A

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

CELRL-OP-F, Rm 752

P.O. Box 59

Louisville, Kentucky 40201-0059

Phone: (502) 315-6733

PUBLIC NOTICE
LIMITS OF JURISDICTION

TO WHOM IT MAY CONCERN:

The purpose of this notice is to update the list of navigable waters of the United States within the Louisville District which are subject to the Corps of Engineers (Corps) jurisdiction under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The previous listing was prior to the transfer of the majority of the Big Sandy watershed in Kentucky from the Huntington District to the Louisville District for Regulatory Program administration. The new list includes the navigable waters within the Big Sandy watershed in Kentucky.

Anyone intending to perform work in or in the immediate vicinity of the waters shown on the attached list must first receive a permit from this office. The regulations establishing procedures for processing applications for such permits can be found in the Federal Register (33 C.F.R. 320 through 332).

Routine permit applications take about sixty days to evaluate. More complicated or controversial applications may take considerably longer. Therefore, potential applicants should contact the Louisville District office at the above address well in advance of the date they intend to begin work.

The only work within navigable waters not normally requiring a permit from the Corps is the construction of bridges, causeways, and aerial pipeline crossings. Such facilities are under the jurisdiction of the United States Department of Homeland Security, U.S. Coast Guard. Further information on the requirements for permits for such activities may be obtained from the Commander, Second Coast Guard District, 1430 Olive Street, St. Louis, Missouri, 63103.

Please note that the Corps also has regulatory responsibilities under Section 404 of the Clean Water Act (33 U.S.C. 1344). This law requires a permit for the discharge of dredged or fill material below the Ordinary High Water elevation of a waterway. The area of Corps jurisdiction under this Act is much more extensive than that under the Rivers and Harbors Act. In fact, it extends to all waters of the

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United States, including adjacent wetlands. For this reason we strongly suggest that anyone proposing any work in any stream, waterbody or wetland contact this office prior to beginning work.

Fees:

Fees are required for permit authorizations in accordance with Section 10 and/or Section 404. A fee of \$100.00 will be charged when the planned or ultimate purpose of the project is commercial or industrial in nature and is in support of operations that charge for the production, distribution, or sale of goods or services. A \$10.00 fee will be charged for permit applications when the work is non-commercial in nature and provides personal benefits that have no connection with a commercial enterprise. The final decision as to the basis for the fee (commercial vs. non-commercial) shall be solely the responsibility of the District Engineer. No fee will be charged if the applicant withdraws the application at any time prior to issuance of the permit and/or if the application is denied. Collection of the fee is deferred until the applicant is notified by the District Engineer that a public interest review has been completed and that the proposed activity has been determined to be not contrary to the public interest. Any modification significant enough to require a public notice will also require a fee. No fee will be assessed when a permit is transferred from one property owner to another. No fees will be charged for time extensions or general permits.

Unauthorized Work:

All work performed without the required Department of the Army Permit will be immediately investigated and evaluated. Based on results of the investigation, the case may be forwarded to the appropriate U.S. Attorney, U.S. Environmental Protection Agency or higher authority recommending that appropriate civil or criminal action be taken. Applications for approval of unauthorized work will not be accepted until litigation has been completed, or until a determination has been made that prosecution is not warranted.

Questions pertaining to the Department of the Army permit program may be directed to the Louisville District Office by calling (502) 315-6733, or by writing:

District Engineer
U.S. Army Engineer District, Louisville
Corps of Engineers
ATTN: CEORL-OP-F
P.O. Box 59
Louisville, Kentucky 40201-0059

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The Corps has determined the following streams to be subject to jurisdiction under Sections 9 and 10 of the Rivers and Harbors Act of 1899. These streams are considered navigable waters of the United States to the jurisdictional limits shown. The listing of navigable waters below supersedes the previous listing published by the Louisville District. If there are future changes and/or additions to this list, or to the jurisdictional limits shown, a public notice will be issued.

OHIO RIVER AND TRIBUTARIES

<u>OHIO RIVER MILE</u>	<u>JURISDICTION STREAM</u>	<u>ABOVE MOUTH</u>
	Ohio River (Mouth to Foster, Kentucky)	543.0 miles
451.3	Twelve Mile Creek (Ohio)	1.3 miles
461.4	Twelve Mile Creek (Kentucky)	0.8 miles
461.2	Four Mile Creek	2.5 miles
463.5	Little Miami River (See Suppl. List Below)	90.7 miles
470.2	Licking River (See Supplemental List Below)	226.0 miles
472.5	Mill Creek	3.8 miles
477.5	Dry Creek	0.3 miles
484.0	Muddy Creek	2.1 miles
488.2	Sand Run	1.2 miles
490.6	Garrison Creek	0.6 miles
491.0	Great Miami River	117.0 miles
493.3	Second Creek	0.4 miles
493.5	Taylor Creek	0.6 miles
494.2	Tanners Creek	10.6 miles
495.8	Wilson Creek	1.9 miles
496.7	Hogan Creek	0.4 miles
	North Hogan Creek (Tributary to Hogan Creek)	4.9 miles
	South Hogan Creek (Tributary to Hogan Creek)	5.0 miles
498.7	Laughery Creek	10.2 miles
499.8	Woolper Creek	3.4 miles
501.4	Island Branch	1.0 miles
502.5	Willoughby Creek	0.4 miles

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OHIO RIVER AND TRIBUTARIES (cont'd)

<u>OHIO RIVER</u> <u>MILE</u>	<u>JURISDICTION</u> <u>STREAM</u>	<u>ABOVE MOUTH</u>
504.0	Buck Run	1.1 miles
504.5	Middle Creek	1.4 miles
508.7	Arnold Creek	4.4 miles
508.8	Grant Creek	2.5 miles
512.0	Lick Creek	1.1 miles
513.6	Gunpowder Creek	4.6 miles
514.6	Landing Creek	0.7 miles
516.7	Big Bone Creek	4.2 miles
	Big South Fork (Tributary to Big Bone Creek)	1.4 miles
	Mud Lick Creek (Tributary to Big Bone Creek)	1.1 miles
518.2	Goose Creek	1.5 miles
518.5	Steeles Creek	0.5 miles
518.7	Wades Creek	0.6 miles
521.3	Paint Lick Creek	1.4 miles
522.7	Little Sugar Creek	0.9 miles
522.8	Big Sugar Creek	0.6 miles
527.0	Bryant Creek	2.6 miles
	Sand Run (Tributary to Bryant Creek)	0.9 miles
529.0	Turtle Creek	1.3 miles
529.9	Craigs Creek	4.6 miles
	Dry Creek (Tributary to Craigs Creek)	1.2 miles
	Vera Cruz Branch (Tributary to Craigs Creek)	0.6 miles
532.9	Log Lick Creek	2.3 miles
535.8	Plumb Creek	2.9 miles
540.0	Indiana Creek	4.1 miles
545.8	Kentucky River (See Supplemental List Below)	254.7 miles
546.6	Little Kentucky River	4.3 miles
549.5	Locust Creek	0.7 miles
550.4	Indian Kentuck Creek	3.8 miles
569.3	Big Saluda Creek	1.0 miles
571.0	Corn Creek	1.4 miles
573.0	Bear Bone Creek	0.7 miles
576.3	Pattons Creek	0.7 miles
578.3	Camp Creek	1.7 miles
580.8	Eighteen Mile Creek	0.9 miles
584.5	Bull Creek	1.1 miles
589.3	Fourteen Mile Creek	2.9 miles
596.0	Harrods Creek	1.3 miles
597.0	Goose Creek	1.1 miles
	Little Goose Creek (Tributary of Goose Creek)	0.5 miles
597.7	Lancassange Creek	0.3 miles
602.0	Beargrass Creek	0.8 miles
606.8	Silver Creek	3.0 miles
629.0	Salt River (See Supplemental List Below)	26.4 miles
633.3	Abrahams Run	1.2 miles
634.5	Mosquito Creek	2.8 miles

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<u>OHIO RIVER</u> <u>MILE</u>	<u>JURISDICTION</u> <u>STREAM</u>	<u>ABOVE MOUTH</u>
636.4	Otter Creek	2.7 miles
642.25	Doe Run	1.5 miles
647.3	Buck Creek	5.8 miles
651.4	French Creek	2.4 miles
657.0	Indian Creek	4.8 miles
661.3	Potato Run	0.4 miles
662.9	Blue River	57.15 miles
	Dry Creek (Tributary of Blue River)	1.4 miles
676.8	Wolf Creek	3.9 miles
678.6	Little Blue River	10.6 miles
	Mill Creek (Tributary of Little Blue River)	1.4 miles
686.1	Watson Run	1.0 miles
686.6	Spring Creek	1.9 miles
691.7	Oil Creek	10.6 miles
	Clover Lick Creek (Tributary of Oil Creek)	0.7 miles
	Little Oil Creek (Tributary of Oil Creek)	4.4 miles
	Webb Branch (Tributary of Oil Creek)	0.9 miles
	Bull Hollow (Tributary of Oil Creek)	0.7 miles
	Indian Fork (Tributary of Oil Creek)	1.4 miles
	Bald Knob Creek (Tributary of Oil Creek)	0.5 miles
692.4	Knob Creek	0.2 miles
695.5	Yellow Bank Creek	3.8 miles
696.6	Big Poison Creek	6.3 miles
	Caney Branch (Tributary of Big Poison Creek)	0.2 miles
	Little Poison Creek (Tributary of Big Poison Creek)	1.2 miles
698.75	Lick Run	2.2 miles
700.8	Sinking Creek	7.6 miles
	Helm Branch (Tributary of Sinking Creek)	0.8 miles
	Shot Pouch Creek (Tributary of Sinking Creek)	2.4 miles
703.25	Bear Creek	1.6 miles
703.9	Kennys Creek	0.8 miles
704.2	Buck Creek	0.7 miles
705.1	Kingly Creek	0.2 miles
705.5	Pates Hollow	0.3 miles
706.1	Sample Run	0.2 miles
707.3	Town Creek	1.8 miles
707.6	Bull Creek	2.4 miles
709.0	Goehagan Creek	0.8 miles
710.9	Clover Creek	9.4 miles
	Tar Fork (Tributary of Clover Creek)	5.4 miles
	Locust Creek (Tributary of Clover Creek)	1.8 miles
	Caney Creek (Tributary of Clover Creek)	1.0 miles
	Beech Fork (Tributary of Clover Creek)	0.6 miles
712.3	Faucett Creek	0.7 miles
717.2	Millstone Creek	1.4 miles
	Kelly Hollow (Tributary of Millstone Creek)	1.0 miles

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OHIO RIVER AND TRIBUTARIES (cont'd)

<u>OHIO RIVER MILE</u>	<u>JURISDICTION STREAM</u>	<u>ABOVE MOUTH</u>
718.75	Deer Creek	5.9 miles
	Little Deer Creek (Tributary of Deer Creek)	3.9 miles
	Caney Branch (Tributary of Deer Creek)	0.8 miles
	Neglie Branch (Tributary of Deer Creek)	0.5 miles
	East Deer Creek (Tributary of Deer Creek)	0.6 miles
724.2	Lead Creek	3.8 miles
731.4	Anderson Creek	14.2 miles
	Middle Fork Anderson Creek (Tributary of Anderson Creek)	3.3 miles
733.2	Crooked Creek	7.7 miles
736.7	yellow Creek	2.6 miles
741.3	Little Sandy Creek	2.0 miles
742.0	Blackford Creek	6.0 miles
742.1	Sandy Creek	2.6 miles
744.25	Honey Creek	1.8 miles
746.8	Lake Drain	1.6 miles
750.7	Puppy Creek	4.3 miles
	Kelly Creek (Tributary of Puppy Creek)	2.0 miles
751.9	Yellow Creek	2.0 miles
	Van Bruen Creek (Tributary of Yellow Creek)	0.9 miles
759.4	Caney Creek	2.8 miles
760.5	Garret Creek	2.2 miles
763.2	Jackson Creek	1.8 miles
772.8	Little Pigeon Creek	15.8 miles
	Clear Creek (Tributary of Pigeon Creek)	2.4 miles
	Baker Creek (Tributary of Pigeon Creek)	1.8 miles
775.3	Cypress Creek (Diversion Channel)	6.6 miles
784.3	Green River (See Supplemental List Below)	199.0 miles
793.0	Pigeon Creek	5.9 miles
	Locust Creek (Tributary of Pigeon Creek)	1.5 miles
806.8	Canoe Creek	7.3 miles
	Wilson Creek (Tributary of Canoe Creek)	1.6 miles
815.0	Bayou Creek	1.5 miles
828.9	McFadden Creek	2.3 miles
841.0	Highland Creek	8.3 miles
843.0	Lost Creek	1.2 miles
845.9	Harris Ditch	0.9 miles
	Little Pitcher Lake (Tributary of Harris Ditch)	1.2 miles
848.0	Wabash River (See Supplemental List Below)	441.9 miles
867.3	Saline River	18.3 miles
	North Fork Saline River (Tributary to Saline River)	5.0 miles

OHIO RIVER AND TRIBUTARIES (cont'd)

<u>OHIO RIVER MILE</u>	<u>JURISDICTION STREAM</u>	<u>ABOVE MOUTH</u>
868.7	Dennis O'Nan Ditch	3.4 miles
873.5	Tradewater River	20.4 miles
	Piney Creek (Tributary to Tradewater River)	0.9 miles
	Crab Orchard Creek (Tributary to Tradewater River)	1.7 miles
875.8	Camp Creek	1.1 miles
877.7	Honey Creek	2.2 miles
877.8	Crook Creek	2.2 miles
877.8	Anthony Creek	1.2 miles
886.2	Hurricane Creek	1.1 miles
	Caney Creek (Tributary to Hurricane Creek)	0.2 miles
886.4	Peters Creek	0.6 miles
887.8	Hosick Creek	1.0 miles
889.5	Big Creek	3.4 miles
893.0	Deer Creek	6.8 miles
893.6	Buck Creek	1.9 miles
895.8	Three Mile Creek	2.1 miles
897.8	Big Grand Pierre Creek	6.0 miles
	Little Grand Pierre Creek (Tributary to Big Grand Pierre Creek)	2.8 miles
901.9	Givens Creek	1.2 miles
902.3	Lusk Creek	8.5 miles
	Miller Creek (Tributary to Lusk Creek)	1.9 miles
903.6	McGilligan Creek	2.1 miles
910.0	Big Bay Creek	7.6 miles
910.8	Barren Creek	2.9 miles
914.8	Phelps Creek	1.4 miles
918.8	Dog Creek	4.7 miles
	Alcorn Creek (Tributary of Dog Creek)	1.3 miles
919.9	Dyer Hill Creek	2.7 miles
920.0	Dyer Hill Creek	1.0 miles
922.9	Cumberland River	2.1 miles *
934.5	Tennessee River	2.4 miles **
	Island Creek (Tributary of Tennessee River at Mile 1.2)	4.0 miles
939.4	Perkins Creek	1.9 miles

*Cumberland River above this point under the jurisdiction of the Nashville District.

**Tennessee River above this point under the jurisdiction of the Nashville District.

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<u>OHIO RIVER MILE</u>	<u>JURISDICTION STREAM</u>	<u>ABOVE MOUTH</u>
940.4	Sevenmile Creek	1.2 miles
941.9	Massac Creek (Illinois)	1.6 miles
942.7	Massac Creek (Kentucky)	2.7 miles
947.6	Bayou Creek	1.4 miles
953.2	Newtons Creek	1.3 miles
956.0	Redstone Creek	1.2 miles
957.8	Post Creek Cutoff	0.5 miles
967.7	Humphrey Creek	2.9 miles
	Clanton Creek (Tributary to Humphrey Creek)	.4 miles
971.8	Hess Bayou Creek	.8 miles
974.7	Cache River	.4 miles

KENTUCKY RIVER AND TRIBUTARIES

<u>KENTUCKY RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Kentucky River (Mouth to Junction of North and South Forks, Kentucky River)	254.7 miles
190.3	Red River	5.5 miles
254.7	South Fork Kentucky River	4.0 miles
254.7	North Fork Kentucky River	6.4 miles
	Middle Fork Kentucky River (Tributary to North Fork Kentucky River)	4.7 miles

SALT RIVER AND TRIBUTARIES

<u>SALT RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Salt River	26.4 miles
11.4	Rolling Fork	19.7 miles
25.5	Floyds Fork	0.1 miles

GREEN RIVER AND TRIBUTARIES

<u>GREEN RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Green River (Mouth to Davis Island)	199.0 miles
55.0	Pond River	12.5 miles
71.3	Rough River	29.0 miles
108.6	Mud River	14.0 miles
149.5	Barren River	139.7 miles
	Gasper River (Tributary to Barren River)	1.2 miles
	Drakes Creek (Tributary to Barren River)	23.5 miles

GREEN RIVER AND TRIBUTARIES (cont'd)

<u>GREEN RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Trammel Fork (Tributary to Drakes Creek)	14.7 miles
	West Fork Drakes Creek (Tributary to Drakes Creek)	1.1 miles
168.5	Bear Creek	11.0 miles
183.5	Nolin River	7.8 miles

WABASH RIVER AND TRIBUTARIES

<u>WABASH RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Wabash River (Mouth to Wells-Adams County Line)	441.9 miles
14.9	Little Wabash River (Mouth to Louisville, IL)	15.8 miles
	Skillet Fork (Tributary to Little Wabash River)	(Administratively selected at Helm, IL, Marion Co. Line)
95.6	White River	66.2 miles
	East Fork White River (Tributary to White River)	21.9 miles

<u>WABASH RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
122.0	Embarras River	168.0 miles (Mouth to Carmargo, IL)
257.5	Vermilion River	22.6 miles (Mouth to Danville, IL)
	Middle Fork Vermilion River (Tributary to Vermilion River)	3.5 miles (At the I-74 overpass)
405.9	Little River	20.2 miles (Mouth to the junction w/Ellison Road)

LICKING RIVER AND TRIBUTARY

<u>LICKING RIVER MILE</u>	<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>
	Licking River (Mouth to West Liberty, Kentucky)	226.0 miles
51.7	South Fork Licking River	59.8 miles (Mouth to Bourbon- Harrison Co. KY Line)

LITTLE MIAMI RIVER AND TRIBUTARIES

<u>STREAM</u>	<u>JURISDICTION ABOVE MOUTH</u>	<u>LOCATION OF LIMIT</u>
Little Miami River	90.7 miles	S.R. 72 crossing in Clinton, Clark Co., Ohio
East Fork Little Miami River	6.4 miles	Bridge in Perintown, Clermont Co., Ohio

Section 10 Streams Previously in the Huntington District
 Effective July 1, 2006

Big Sandy River and Tributaries

Big Sandy River	26.83 miles	Catlettsburg, KY to Louisa, KY
Note:	Mouth to Mile 9 (from Ohio River Mile 317)	Huntington District Regulatory Catlettsburg, KY to 0.8 mile south of Cyrus, WV
	Mile 9 to 26.83	Louisville District Regulatory 0.8 mile south of Cyrus, WV to Louisa, KY
Russell Fork	17.0 miles	Millard, KY to the Virginia State line near Potters Flats, WV
Tug Fork	58.0 miles	Louisa, KY to Williamson, WV
Levisa Fork	130.0 miles	Louisa, KY to Virginia State line near Toonerville, KY